IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 413 OF 2005

Shivaji Shankar Chaudhari .. Applicant.
V/s.

The State of Maharashtra .. Respondent.

Shri Jayesh B. Kocheta for the Applicant.
Shri D.R.More,APP for Respondent - State.

CORAM : A.M.KHANWILKAR, J.
DATED : FEBRUARY 07,2005.

PC :-

. Heard the learned counsel for the parties. Perused the record.

2. Even accepting the prosecution case as it is and looking at the post mortem report, it is seen that the incident in question took place on the spur of the moment and the applicant reacted violently as can be seen from the several injuries caused to the deceased. All the injuries are mostly abrasions except one which was caused on the head, which turned out to be fatal and the deceased succumbed to that injury. In other words, the applicant had no intention to kill the deceased and as the applicant is of tender age of 19 years and there are no antecedents and as the

investigation is complete, I am inclined to grant bail to the applicant but on strict condition as follows:

(a) The Applicant is enlarged on bail in connection with C.R.No.276/2004, registered with Sahakarnagar Police Station, Pune on executing personal bonds in the sum of Rs. 10,000/- (Rs. Ten thousand only) with two local sureties in the like amount.

(b) The Applicant shall report to the concerned police station once in a month on Saturday between 10 a.m. to 2 p.m..

(c) The Applicant shall co-operate for early disposal of the trial. If the trial court is of the opinion that the applicant is responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

(d) The Applicant shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

3. Ordered accordingly.

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